

UNITED STATES DISTRICT COURT

for

EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Robert Champion

Docket No. 4:13-CR-18-1FL

Petition for Action on Conditions of Pretrial Release

COMES NOW Bentley H. Massey, probation officer of the court, presenting an official report upon the conduct of defendant, Robert Champion, who was placed under pretrial release supervision by the Honorable James E. Gates, U.S. Magistrate Judge, sitting in the Court at Raleigh, NC, on the 1st day of May, 2013, under the following conditions:

- The defendant is placed in the custody of Lisa Champion
- Report to the probation office or supervising officer as directed.
- Abide by the following restrictions on personal association, place of abode, or travel:
Eastern District of North Carolina
- Avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to:
- Refrain from possessing a firearm, destructive device, or other dangerous weapons.
- Refrain from any use of alcohol.
- Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- Submit to any testing required by the pretrial services office or the supervising officer to determine whether the defendant is using a prohibited substance. Any testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or monitoring which are required as a condition of release.
- Participate in a program of inpatient or outpatient substance abuse therapy and counseling if the pretrial services office or supervising officer considers it advisable.
- Report as soon as possible to the supervising officer any contact with law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.
- Submit to the location monitoring indicated below and abide by all of the program requirements and instructions provided by the supervising officer related to the proper operation of the technology.
Radio Frequency (RF) monitoring.
- Submit to warrantless searches of person or property by the supervising officer.

The government moved to stay Champion's release and appealed. On May 7, 2013, U.S. District Judge Louise W. Flanagan affirmed his release conditions and he was released from custody.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

On May 9, 2013, the probation officer visited the defendant's residence at 286 New Hope Street, Roanoke Rapids, North Carolina, 27870, and installed the location monitoring radio frequency device. Unfortunately, proper operation of the monitoring equipment has been hampered by a combination of factors (the telephone service/carrier, the location of his residence, the type of dwelling he resides (mobile home), internal house wiring, and/or other unknown variables). The result is that the probation office is unable to adequately rely on the location monitoring device in this particular case. This is not the fault of the defendant and it is noted that Champion has been compliant with supervision requirements. It is recommended that the location monitoring condition be modified to include home incarceration without the location monitoring radio frequency device.

PRAYING THAT THE COURT WILL ORDER modify the conditions to:

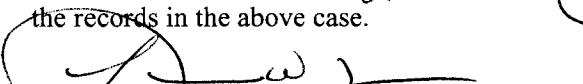
1. The defendant shall abide by all conditions and terms of the home incarceration program. The defendant shall be restricted to his residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the probation officer. The home incarceration condition shall not include location monitoring.

/s/Bentley H. Massey

Senior U.S. Probation Officer
1760 Parkwood Blvd., Room 201
Wilson, NC 27893-3564
Phone: 252-237-0788
Executed On: July 1, 2013

ORDER OF COURT

Considered and ordered this 2nd day of July, 2013, and ordered filed and made a part of the records in the above case.


Louise W. Flanagan
U.S. District Judge